



22713 U.S. PTO

Customer No. 24113
 Patterson, Thunte, Skaar & Christensen, P.A.
 4800 IDS Center
 80 South 8th Street
 Minneapolis, Minnesota 55402-2100
 Telephone: (612) 349-5740
 Facsimile: (612) 349-9266

Attorney Docket No. 3126.01US03

17302 U.S. PTO
10/806311

CONTINUING APPLICATION TRANSMITTAL

Mail Stop Patent Application
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

This is a request for filing a

☒ Continuation ☐ Divisional

application, under 37 C.F.R. § 1.53(b), of pending prior Application No. 10/414,909, filed April 16, 2003 for: EMBOLISM PROTECTION DEVICES by: Matthew F. Ogle. The entire disclosure of the prior application is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

Enclosed are:

- ☒ Specification and Abstract - 52 pages
☒ Drawings - 12 sheets (Figs. 1-29D)
☒ Combined Declaration and Power of Attorney
☐ Newly executed
 or
☒ Copy from prior application

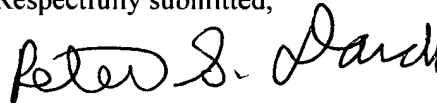
| The filing fee has been calculated as shown below: | | | | | |
|--|-----------|--------------|-------------------|--------------|-------------------|
| | No. Filed | No. Extra | Small Entity Rate | OR | Large Entity Rate |
| Basic Fee | | | \$ 385 | OR | \$ 770 |
| Total Claims | 27 - 20 | = 7 | x 9 = \$63 | OR | x 18 = \$* |
| Independent Claims | 4 - 3 | = 1 | x 43 = \$43 | OR | x 86 = \$* |
| Presence of Multiple Dependent Claim | | | + 145 = \$0 | OR | + 290 |
| | | TOTAL | \$ 491 | TOTAL | \$ |
| *If the difference is less than zero, enter "0" | | | | | |

- ☒ A check in the amount of \$491.00 is enclosed. The Commissioner is hereby authorized to grant any extensions of time and to charge any fees under 37 C.F.R. §§ 1.16 and 1.17 that may be required during the entire pendency of this application to Deposit Account No. 16-0631.
- ☐ Amend the specification by inserting before the first line the sentence: --This is a ☐ Continuation ☐ Division of Application No. _____ filed _____, which in turn is a _____.--

3. ☐ Priority of foreign application(s) No. _____ filed _____ is claimed under 35 U.S.C. § 119. The certified copy was filed in prior Application No. _____ on _____.
4. ☒ The prior application is assigned of record to MedCity Medical Innovations, Inc. recorded at Reel 014070, Frame 0579.
5. ☒ Preliminary Remarks – 3 pages.
6. ☐ An Information Disclosure Statement is enclosed.
7. ☒ Applicant is entitled to small entity status in accordance with 37 CFR 1.27.
8. ☐ CD-ROM or CD-R in duplicate, and Compact Disc Transmittal are enclosed.
9. ☐ Request and Certification Under 35 U.S.C. 122(b)(2)(B)(i) (nonpublication).
10. ☒ Address all future communications to:

Patterson, Thunte, Skaar & Christensen, P.A.
4800 IDS Center
80 South 8th Street
Minneapolis, Minnesota 55402-2100

Respectfully submitted,



Peter S. Dardi, Ph.D.
Registration No. 39,650

CERTIFICATE OF EXPRESS MAIL

“Express Mail” mailing label number EV 319195236 US. Date of Deposit: March 22, 2004. I hereby certify that this paper is being deposited with the United States Postal Service “Express Mail Post Office to Addressee” service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to the Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Peter S. Dardi
Name of Person Making Deposit

Peter S. Dardi
Signature

EV319195236US